IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S): Shell S. Simpson et al   **GROUP ART UNIT:** 2624

SERIAL NO.: 09/712,308   **EXAMINER:** Stephen M. Brinich

FILED: 11/13/2000

SUBJECT: SYSTEM AND METHOD FOR
DYNAMICALLY PROVIDING PRINTING STATUS

U.S. PATENT AND TRADEMARK OFFICE
COMMISSIONER OF PATENTS
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APPELLANTS'/APPLICANTS' REPLY BRIEF

The following is a reply to the Examiner's Answer mailed March 7, 2007.

1. GROUNDS FOR REJECTION TO BE REVIEWED.

A.   Claims 1, 4, 7-8, 10-15, and 17 were rejected under 35 U.S.C. §102(e) as being anticipated by USPN 6,903,832 issued to Maekawa.

B.   Claims 5, 6, 9, 16, and 18-23. were rejected under 35 U.S.C. §103(a) as being unpatentable over Maekawa.

2.   ARGUMENT.

A.   Ground For Rejection A – Claims 1, 4, 7-8, 10-15, and 17 were rejected under 35 U.S.C. §102(e) as being anticipated by USPN 6,903,832 issued to Maekawa.

Claim 1 is directed to a method of providing a print status and recites the following:

    (a)   receiving a set of executable instructions from a printer, the instructions executable by the computer to cause the computer to display a print status page based upon dynamic input received from the printer printing a print job received from the computer; and

    (b)   executing the instructions so as to generate the print status page.

In an opening brief filed November 30, 2006, the Applicant explained that Maekawa does not teach or suggest a method that includes receiving a set of executable instructions from a printer, the instructions executable by the computer to cause the computer to display a print status page based upon dynamic input received from the printer printing a print job received from the computer.

Responding at pages 5 and 6 of the Answer, the Examiner admits that Maekawa's status signal is not a set of executable instructions from a printer. Instead, the Examiner asserts the following:

[T]he effecting of communication of this status signal data from the printer to the host computer as described (column 3, lines 1-6;column 4, lines 55-61) inherently requires that the printer send at least one instruction (an instruction to begin receiving and processing data) which is executed by the host computer (which receives and processes the data) .

Even if this were true, an (at least one) instruction to begin receiving and processing status signal data is not a set of "instructions executable by the computer to cause the computer to display a print status page based upon dynamic input received from the printer printing a print job received from the computer." Instead such an instruction is an instruction that when executed by a computer causes the computer to receive the status signal data.

Maekawa, col. 3, lines 1-6 and col. 4, lines 55-61 are reproduce below to further illustrate the examiner's misapplication of Maekawa's teachings.

> A printer controller unit 103 executes communication with and reception of image data from a host computer, development of the received image data into information printable by the printer, and exchange of signals and serial communication with a printer engine control unit to be explained later. The printer controller unit 103 is connected to a printer engine, and executes reception of code data (ESC codes, various PDL etc.) from the external device 101 such as the host computer, generation of page information, consisting of dot data, from such code data, and transmission of the image data to the printer engine 105 through predetermined interface means.

Maekawa, col. 3, lines 1-12

> The printer controller 103 effects communication with the host computer, reception of the image data and development of the received image data into information printable by the printer as explained before, and also executes signal exchange and serial communication with a printer engine controller to be explained later. In this drawing, components 105, 150 to 158 correspond to those shown in FIG. 1.

Maekawa, col. 4, lines 55-61.

The two passages cited by the Examiner simply discusses a printer's "printer controller unit 103" that is responsible for communication with a host computer. The

Examiner mistakenly infers that because the printer communicates with the host computer the communications it sends some how include instructions to receive and process those communications. If the Examiner's logic were to hold, then every web page received by a computer from a web server would include instructions to receive and process that web page. We know this not to be true as web browsers, operating systems, or other applications already installed on such computers age made up of the instructions for receiving and processing web pages.

Consequently, Maekawa does not teach or suggest a method that includes receiving a set of executable instructions from a printer, the instructions executable by the computer to cause the computer to display a print status page based upon dynamic input received from the printer printing a print job received from the computer. For at least this reason, Claim 1 is patentable over Maekawa as are Claims 4-6 due at least in part to their dependence from Claim 1.

Claim 7 is directed to, in a client server system that includes a server connected to a client, a method that includes the following:

    (a)   transmitting, by the server, a set of executable instructions to a client, where the set of executable instructions is an agent of a particular printer;

    (b)   receiving, by the client, the set of instructions;

    (c)   executing, by the client, the set of instructions to:
        1) generate a print job;
        2) transmit the print job to the printer;
        3) display a print status page as the printer prints the print job, where the print status page describes a present status of the print job while the printer prints the print job.

The Examiner provided the same explanation for Rejecting Claim 7 as he provided for Claim 1. As with Claim 1, Maekawa fails to teach or suggest a method that includes transmitting, by the server, a set of executable instructions to a client, where the set of executable instructions is an agent of a particular printer and are to be executed by that client to display a print status page. For at least the same reasons Claim 1 is patentable over Maekawa, so are Claim 7 and Claims 8-10 which depend from Claim 7.

Furthermore, Claim 7 recites that the set of instructions received from the printer are executed by the computer to generate a print job. The Examiner only asserts that Maekawa external device sends instructions to a printer. The Examiner does not contend nor does Maekawa teach or suggest that a printer send instructions to a computer such that when executed by the computer, the instructions generate and transmit a print job to the printer. For this additional reason Claim 7 is patentable over Maekawa, as is are Claims 8-10 which depend from Claim 7.

Claim 11 is directed to, in a computing system that includes a computer connected to a printer, a method that includes:

a) receiving, by the printer, a request from the computer;

b) responding, by the printer, to the request by transmitting a set of executable instructions to the computer;

c) wherein the set of executable instructions enables the computer to generate and to then transmit a print job to the printer;

d) wherein the set of executable instructions further enables the computer to display a print status page while the printer is printing the print job;

e) wherein the print status page indicates a present status of the print job while the printer prints the print job.

The Examiner provided the same explanation for Rejecting Claim 11 as he provided for Claim 1. As with Claim 1, Maekawa fails to teach or suggest a method that includes a printer transmitting a set of executable instructions to a computer where the set of executable instructions enables the computer to display a print status page while the printer is printing the print job. For at least the same reasons Claim 1 is patentable over Maekawa, so are Claim 11 and Claim 12 which depend from Claim 11.

Furthermore, Claim 11 recites that the set of instructions received from the printer enable the computer to generate and transmit a print job to the printer. The Examiner only asserts that Maekawa external device sends instructions to a printer. The Examiner does not contend nor does Maekawa teach or suggest that a printer send instructions to a computer such that when executed by the computer, the instructions generate and transmit a print job to the printer. For this additional reason Claim 11 is patentable over Maekawa as is Claim 12 which depend from Claim 7.

Claim 13 is directed to a computer system that includes a printer and a client connected to the printer. Claim 13 recites that:

a) wherein the printer is configured to provide the client with a set of executable instructions;

b) wherein the set of instructions enables the client to display a print status page while the printer is printing a print job received from the client based upon dynamic input received by the client from the printer.

The Examiner provided the same explanation for Rejecting Claim 13 as he provided for Claim 1. As with Claim 1, Maekawa fails to teach or suggest a printer that is configured to provide a client with a set of executable instructions that enable the client to display a print status page while the printer is printing a print job received from the client based upon dynamic input received by the client from the printer. For at least the same reasons Claim 1 is patentable over Maekawa, so are Claims 14-18 which depend from Claim 13.

B. Ground For Rejection B – Claims 5, 6, 9, 16, and 18-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Maekawa.

Claims 5 and 6 depend from Claim 1. For at least the same reasons Claim 1 is patentable over Maekawa, so are Claims 5 and 6.

Claim 9 depends from Claim 7. For at least the same reasons Claim 7 is patentable over Maekawa, so is Claim 9.

Claims 16 and 18 depend from Claim 13. For at least the same reasons Claim 13 is patentable over Maekawa, so are Claims 16 and 18.

Claim 19 is directed to computer that includes:

a) an I/O port;

b)   means for serving a set of executable instructions over the I/O port to a client device in response to receiving a request from the client;

c)   wherein the set of executable instructions is an agent of a particular printer;

d)   wherein the set of executable instructions enable the client to display a Web Page that indicates a status of a print job presently being printed by the printer.

The Examiner provided no substantive explanation for rejecting Claim 19 beyond that which he provided from Claim 1. As with Claim 1, Maekawa fails to teach or suggest a computer that includes means for serving a set of executable instructions over an I/O port to a client device in response to receiving a request from the client where the set of executable instructions is an agent of a particular printer and enables the client to display a Web Page that indicates a status of a print job presently being printed by the printer. For at least this reason, claim 19 is patentable over Maekawa as are Claims 20-23 due at least in part to their dependence from Claim 1.

Conclusion

In view of the foregoing remarks, Applicant respectfully submits that Claims 1 and 4-23 define allowable subject matter. The Examiner is requested to indicate the allowability of all claims in the application and to pass the application to issue.

Respectfully submitted,
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APPENDIX OF CLAIMS INVOLVED IN THE APPEAL

1.   (previously presented) In a computer, a method of providing a print status, comprising:

(a) receiving a set of executable instructions from a printer, the instructions executable by the computer to cause the computer to display a print status page based upon dynamic input received from the printer printing a print job received from the computer; and

(b) executing the instructions so as to generate the print status page.

2-3   (canceled)

4.   (Previously presented)   The method of claim 1,

wherein the set of executable instructions is further executable by the computer to generate and to then transmit a print job to the printer; and

wherein the method further comprises:

prior to executing the instructions to generate the print status page, executing the instructions so as to generate and to transmit the print job to the printer.

5.   (Previously presented)   The method of claim 1, wherein the set of executable instructions is HTML code, JAVA SCRIPT or C-Sharp code.

6.   (Previously presented)   The method of claim 1, wherein the print status page is a WEB Page.

7.   (Previously presented)   In a client server system that includes a server connected to a client, a method comprising:

(a)   transmitting, by the server, a set of executable instructions to a client, where the set of executable instructions is an agent of a particular printer;

(b)   receiving, by the client, the set of instructions;

(c)   executing, by the client, the set of instructions to:

generate a print job;

transmit the print job to the printer;

        display a print status page as the printer prints the print job, where the print status page describes a present status of the print job while the printer prints the print job.

8.   (Previously presented)   The method of claim 7, wherein the printer comprises the server.

9.   (Previously presented)   The method of claim 7, wherein the server is a Web Server and the client is a Web Client.

10.   (Previously presented)   The method of claim 7, wherein executing the set of instructions causes the client to:

        generate a generic access request to retrieve a set of data that describes an image; and

        use the retrieved set of data to generate the print job.

11.   (Previously presented)   In a computing system that includes a computer connected to a printer, a method comprising:

        (a) receiving, by the printer, a request from the computer;

        (b) responding, by the printer, to the request by transmitting a set of executable instructions to the computer;

        wherein the set of executable instructions enables the computer to generate and to then transmit a print job to the printer;

        wherein the set of executable instructions further enables the computer to display a print status page while the printer is printing the print job;

        wherein the print status page indicates a present status of the print job while the printer prints the print job.

12.   (Previously presented)   The method of claim 11,

        (c)   receiving, by the computer, the executable set of instructions;

        (d)   executing, by the computer, the executable set of instructions to:

(i) generate and transmit a print job to the printer; and

(ii) display a print status page while printer is printing the print job.

13. (Previously presented) A computer system, comprising:

a printer; and

a client connected to the printer;

wherein the printer is configured to provide the client with a set of executable instructions;

wherein the set of instructions enables the client to display a print status page while the printer is printing a print job received from the client based upon dynamic input received by the client from the printer.

14. (Previously presented) The computer system of claim 13, wherein the printer and the client are connected over a network.

15. (Previously presented) The computer system of claim 13, wherein the set of instructions further enable the client to generate and to transmit the print job to the printer.

16. (Previously presented) The computer system of claim 13, wherein the set of instructions is HTML code.

17 (Previously presented) The computer system of claim 13, wherein the printer comprises means for serving the set of executable instructions to the client upon receiving a request from the client.

18. (Previously presented) The computer system of claim 17, wherein the client runs a Web Browser and the print status page is displayed by the Web Browser.

19. (Previously presented) A computer, comprising:

an I/O port;

means for serving a set of executable instructions over the I/O port to a client device in response to receiving a request from the client;

wherein the set of executable instructions is an agent of a particular printer;

wherein the set of executable instructions enable the client to display a Web Page that indicates a status of a print job presently being printed by the printer.

20.   (Previously presented)   The computer of claim 19, wherein the computer is the printer.

21.   (Previously presented)   The computer of claim 20, wherein the set of executable instructions further enable the client to generate and transmit the print job to the printer.

22.   (Previously presented)   The computer of claim 19, wherein the computer is a server computer remotely connected to the client device.

23.   (Previously presented)   The computer of claim 22, wherein the status page is based upon dynamic input received from the printer.